

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

**CEVERO GARCIA #368938**

**CASE NO. 2:20-CV-00175 SEC P**

**VERSUS**

**JUDGE JAMES D. CAIN, JR.**

**UNITED STATES OF AMERICA**

**MAGISTRATE JUDGE KAY**

**JUDGMENT**

Before the court is a Report and Recommendation [doc. 11] of the Magistrate Judge, recommending that this civil rights action be denied and dismissed with prejudice under 28 U.S.C. § 1915(e)(2)(B)(i) and (ii) as frivolous and failing to state a claim on which relief can be granted. Noting the lack of timely objections from the plaintiff, the court has conducted an independent review of the record and finds that the Report and Recommendation is correct under applicable law. Accordingly, **IT IS ORDERED** that the Report and Recommendation [doc. 11] be **ADOPTED** and that this matter be **DENIED** and **DISMISSED WITH PREJUDICE** under 28 U.S.C. § 1915(e)(2)(B)(i) and (ii). The Clerk of Court is directed to forward a copy of this judgment to the Keeper of the Three Strikes List in Tyler, Texas.

**THUS DONE AND SIGNED** in Chambers on this 10th day of March, 2021.

A handwritten signature in black ink, appearing to read 'James D. Cain, Jr.', is written over a horizontal line.

**JAMES D. CAIN, JR.  
UNITED STATES DISTRICT JUDGE**